## REMARKS

In the above-mentioned Office Action, all of the pending claims, claims 1-7, were finally rejected. In this Amendment, claims 1, 6, and 7 are amended, while no claims are added or cancelled.

### Amendment to the Specification

Although no objection was raised in the Office Action, paragraph [0032] has been stylistically amended in an effort to clarify its references to Layers 1 through 3 (that is, layers 110, 120, and 130, respectively). This is not a substantive change, and no new matter has been added.

### Claims Rejections – 35 U.S.C. § 112

In the Office Action, claims 1-7 were rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement; claims 1, and 6 for including the limitation "where the associated system information for each of the same information element is different", claim 7 for including the limitation "that also have different associated system information", and claims 2-5 for being dependent from rejected claim 1. Without acquiescing in or traversing the Examiner's statement that these limitations were not adequately disclosed, Applicant has amended claims 1, 6, and 7 to remove them. For this reason Applicant believes that this ground for rejection has been overcome.

### Claims Rejections – 35 U.S.C. § 102

Also in the Office Action, claims 1-4 and 6-7 were rejected under 35 U.S.C. § 102(e) as being anticipated by "Reference A" (3GPP Document No. TS 25.331 v3.16.0 (2003-9)). (Although claim 5 is recited at the beginning of this section in the Office Action, no rejection of it is described in any detail until the following section. Its inclusion in this section is for this

reason assumed to be a typographical error.) In response, Applicant has amended independent claims 1, 6, and 7 to more clearly focus on the present invention.

Specifically, the limitation has been added that the user equipment device is arranged to apply certain received information elements in a defined order. (Support for this limitation is provided, for example, in paragraphs [0035] and [0036] of the Specification.) In the currently recited embodiment of the present invention (as amended herein), this defined order specifies that the user device, upon determining that the same information element is present in a system information block of type 11 and a system information block of type 12, applies the former before the latter. Note that in this embodiment it is irrelevant whether the associated system information in the respective information elements is identical, so long as the same information element is present in both so as to invoke application of the same information elements present in both system information blocks according to the defined order.

These distinctive features are not described or suggested by Reference A (or, for that matter, in the Laitinen reference). In order to execute the relevant steps of the presently-recited embodiment, the user device must be arranged to apply certain information elements in a defined order, then determine whether those certain information elements are present, and then apply them according to the defined order. Reference A does not approach the receipt and application of information elements in this manner.

For example if, as noted on pages 8-9 of the Office Action, Reference A indicates that 'if any of the IEs "Intra-frequency measurement quantity", "Intra-frequency reporting quantity for RACH reporting", "Maximum number of reported cells on RACH", or "Reporting information for state CELL_DCH" are not included in the system information block [12]: 2> read the corresponding IE(s) in system information block type 11 and use that information . . . ', then it follows that the method of the present invention has not been performed. That is, the user equipment device was not arranged to, after identifying whether any of the same IEs are present, apply the identified IEs present in both system information blocks in a defined order, and specifically in this embodiment those of system information block type 11 followed by those of system information block type 12. (It should also be acknowledged that the IEs in this example

8

are not the same IEs as are currently recited in the claims; for the recited IEs, apparently no such solution is suggested.) The Reference A does not teach or suggest the method, user equipment device, or computer program product as presently claimed.

The dependent claims 2-4 (and claim 5 as well) depend from claim 1 and therefore also are distinguishable from the cited art for the reasons given above.

In light of the amendment to claims 1, 6, and 7, and the remarks provided herein, Applicant respectfully suggests that this ground for rejection has been overcome.

## Claims Rejections – 35 U.S.C. § 103

Finally, in the Office Action claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Reference A in view of Laitinen et al. (U.S. Patent No. 6,765,891). Laitinen, however, was neither was asserted by the examiner for showing, nor does it show, the methodology of claims 1, 6, and 7 as now-amended. The Laitinen reference was cited merely for showing a computer program product having program code stored on a computer readable medium. Without acquiescing in or traversing this rejection, however, Applicant notes that claim 5 (and the dependent claims 2-4) includes all of the limitations of claim 1, and is for this reason is in any case believed to be distinguishable over the prior art for the same reasons as those given above.

Applicant therefore respectfully suggests that this ground for rejection has also been overcome.

9

In light of the foregoing, therefore, claims 1, 6, and 7, and the dependent claims dependent thereon, are believed to be in condition for allowance. Accordingly, entry of this Amendment, and reexamination and reconsideration for allowance of the claims, as now-amended, is respectfully requested.

Respectfully submitted,

/Robert H. Kelly/

Robert H. Kelly
Reg. No. 33,922

SCHEEF & STONE, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Telephone: (214) 706-4201
Fax: (214) 706-4242
robert.kelly@scheefandstone.com